

# Saratoga County

Tom Lewis, Chairman

## Planning Department

Jason Kemper, Director

### Saratoga County Planning Board

#### Meeting Minutes

November 19, 2009

The meeting held at the office of the Saratoga County Planning Department located at 50 West High Street in Ballston Spa was called to order at 4:00 p.m.

The following members, staff and guests were present:

**Members Present:** Tom Lewis; Chairman, Beth Liebich, Stephen Porto, Michael Miller, Robert Hall and Christopher Barclay.

**Staff:** Jason Kemper; Planning Director, Michael Valentine; Senior Planner, Jaime O'Neill; Planner and Cynthia Nick, Secretary

**Guests:** Ashley Manhey and Brittany Gandara; Ballston Spa High School Students

#### **Approval of Minutes:**

The minutes of the October 15, 2009 meeting were unanimously approved on a motion made by Mr. Porto and seconded by Ms. Liebich.

#### **Referrals:**

##### **09-121 Town of Malta TB**

Mr. Kemper presented an application in the name of Country Club Acres for a PDD Zoning Amendment west of Exit 11 on Round Lake Road to demolish the existing building and rebuild a 25,950 square foot building; adding 9,277 square feet for a Hannaford and to build a separate 2,301 square foot building for an existing bank. Mr. Kemper recommended approval based on the sign off from DPW due to increase in square footage.

##### **09-122 Town of Ballston PB**

Mr. Valentine presented an application that was submitted in the name of Bynon & York for a Special Use Permit, Site Plan Review and Subdivision Review. The applicant intends to subdivide 14 acres located on the west side of NYS Rt. 50 at its most southern point in the town of Ballston (at the town/county line with Glenville/Schenectady County). The applicants propose to divide the parcel into two lots, one to be a 4.22-acre lot with an existing, vacant residence and a 10-acre parcel on which is proposed a 40,000 square foot sports facility. The subdivision in itself poses no concerns, he stated, and the special permit is required in this zoning district for indoor recreation facilities. He stated that the applicants will need to obtain curb-cut permits from NYSDOT for the two new driveways that will be proposed. In addition, the traffic study data provided to DOT should be forwarded to SCPB as part of a complete statement. This data should reflect the 13,000 sq. ft. expansion proposed in the application. Mr. Valentine recommended approval with comments related to the impact of wetlands and the inability of the site plan to reflect the district's maximum front setback and the need for building elevations to correspond to the district's newly adopted design standards.

**09-123 Town of Wilton PB**

Mr. Valentine presented an application for a Special Use Permit in the name of Dockendorf. The special permit is being requested for a home office as a home occupation. The applicant proposes to convert an existing home (located in the R-2 residential district) on Wilton-Gansevoort Road (County Route 32) into a home office. Mr. Valentine stated that there were No Significant County Wide or Inter Community Impacts. He noted, however, that the town's zoning ordinance has established requirements that prohibit business signage and off-street parking in the front yard as general standards to preserve and protect the residential character of the neighborhood.

**09-124 Town of Malta ZB**

Mr. Kemper presented an application for an Area Variance, applicant's name; Malta Crossings (ACO Property Advisors). The variances would be to accommodate single family, townhomes, and duplex homes on Route 9. Mr. Kemper stated No Significant County Wide or Inter Community Impact with comments in regard to number of variances.

**09-126 Town of Halfmoon PB**

Mr. Valentine presented an application for a Site Plan Review in the name of Hoff. The applicant intends to renovate the existing residential house and convert it into a retail jewelry store with a parking lot on Route 9. Mr. Valentine stated that the use and site plan present No Significant County Wide or Inter Community Impacts, commenting only on the need for a DOT permit for the curb cuts and access. He recognized DOT's ultimate review and approval of the proposed access, but he suggested that the site plan should be revised to provide one point of access to/from Rt. 9, not the two now proposed (with the southern access requiring a disturbance permit for construction in the wetland).

A motion to approve Planning Department recommendations for the referrals as presented was made by Mr. Porto. The motion was seconded by Ms. Liebich, and unanimously approved.

**Zim Smith Mid-County Trail Phase II**

Mr. Kemper gave an update on the Zim Smith Mid-County Trail Phase II. Mr. Kemper stated the construction of the deck on the pipe bridge on Underpass Road is underway and in the spring or fall blacktopping will begin.

**Conference Update**

Mr. Porto gave an update on the January 25, 2010 Planning and Zoning Conference. The pamphlet cover's new look has been approved and the new seminars will be finalized.

Mr. Lewis presented a Chart of Courses for the 2010 Conference. He reviewed the courses and presenters that have been confirmed. When the list is finalized and all courses confirmed, Mr. Lewis will distribute a final copy of seminars.

**Resolution to Effect Local Review of Certain Referrals; Agreement to be Entered into Between SCPB & Saratoga Springs City Council, Planning Board and ZBA**

The Board unanimously agreed to withdraw its consideration of this request.

**Memoranda of Understanding**

Members and staff discussed the inordinate number of referrals and subdivisions for this month that were reviewed and posted under our Memorandum of Understanding (MOU) provision with

municipalities. The defined purpose of SCPB entering into an MOU with any land use board of a municipality has been to provide for an expeditious staff review with concurrence by two board members of any referral/subdivision deemed to be of no significant countywide or inter-community impact. In addition, the MOU process is afforded only to those actions for which waiting until the normal meeting date of the SCPB (3<sup>rd</sup> Thurs. of each month) will unnecessarily hamper the speedy review of a no-impact project on the local level. The Board, however, expressed concern that this month's lengthy list of MOUs is indicative of the potential for the process to be used to short-circuit what may need to be a normal review process or to simply avoid a scheduling inconvenience. Board members and staff will provide a closer review of the MOU process and alert communities to the true intent and criteria of the agreement as an MOU request is made.

**Adjournment**

On a motion made by Mr. Porto and seconded by Mr. Hall, the meeting was adjourned with all in favor.

Respectfully submitted,

Cynthia T. Nick, Secretary

